

Copyright

Monthly Review of the United
International Bureaux for the Protection
of Intellectual Property (BIRPI)

4th year - No. 4

April 1968

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WORLD INTELLECTUAL PROPERTY ORGANIZATION

IRELAND

Ireland becomes a party to the WIPO Convention

*Notification of the Director of BIRPI to the Governments
of the Countries invited to the Stockholm Conference*

The Director of the United International Bureaux for the Protection of Intellectual Property (BIRPI) presents his compliments to the Minister for Foreign Affairs of and, in accordance with the provisions of the above Convention, has the honor to notify him that the Government of Ireland

- (i) signed the said Convention, without reservation as to ratification, on January 12, 1968,
- (ii) and deposited, on March 27, 1968, its instrument of ratification, dated February 15, 1968, of the Stockholm Act

of the Paris Convention for the Protection of Industrial Property; Ireland ratified this Act in its entirety.

Ireland has thus fulfilled the conditions provided for by Article 14 of the Convention Establishing the World Intellectual Property Organization (WIPO), and has become a party to the said Convention.

Geneva, April 2, 1968.

WIPO Notification No. 3 *)

*) The WIPO Notification No. 1 deals with the list of the signatory countries of the texts adopted by the Stockholm Conference (see *Copyright*, 1968, p.2). The WIPO Notification No. 2 deals with the application of the provisional clauses of the WIPO Convention and of the Paris Convention by the Republic of Cuba (see *Industrial Property*, 1968, p. 51).

INTERNATIONAL UNION

IRELAND

Notification concerning the application of the provisional clauses (Stockholm Act of the Berne Convention)

*Notification of the Director of BIRPI to the Governments
of Union Countries*

The Director of the United International Bureaux for the Protection of Intellectual Property (BIRPI) presents his compliments to the Minister for Foreign Affairs of . . . and, in accordance with the provisions of the Stockholm Act of the Berne Convention for the Protection of Literary and Artistic Works, has the honor to notify him of the notification deposited by the Government of Ireland in which that Government indicates its desire to avail itself of the provisions of Article 38(2) of the said Act.

This notification became effective on the date of its receipt, that is, on March 4, 1968.

In pursuance of the Article mentioned, Ireland, which is a member of the Berne Union, may, for five years from the date of entry into force of the Convention Establishing the World Intellectual Property Organization (WIPO), exercise the rights provided under Articles 22 to 26 of the Stockholm Act of the Berne Convention, as if it were bound by those Articles.

Geneva, March 15, 1968

Notification Berne No. 4

Working Group Stockholm Conference Recommendation No. III (Copyright)

(Geneva, March 12 to 14, 1968)

Note by the Director of BIRPI

1. The Intellectual Property Conference of Stockholm, which met from June 11 to July 14, 1967, had, among other tasks, that of revising the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, whose last revision had taken place at Brussels in 1948. The Stockholm revision dealt with the substantive provisions of the Convention, its administrative provisions and its final clauses.

2. In regard to the substantive provisions, i. e. those governing the international protection of copyright in literary and artistic works, the Stockholm Conference considered the establishing of certain rules in favor of developing countries as one of its most important tasks. Concerning this point, which was discussed by Main Committee No. II, the Conference adopted a Protocol forming an integral part of the Stockholm Act of the Berne Convention.

3. Under the Protocol Regarding Developing Countries, any country regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations which ratifies or accedes to the Stockholm Act or which declares that it intends to apply the provisions of the Protocol in pursuance of Article 5(1)(a) thereof may avail itself of the reservations provided in the Protocol if, having regard to its economic situation and its social or cultural needs, it does not consider itself immediately in a position to make provision for the protection of all the rights as provided in the said Act.

4. These reservations concern:

- (i) the term of protection of literary and artistic works;
- (ii) the exclusive right of translation granted to the authors of such works;
- (iii) the exclusive right of reproduction granted to the authors of such works;
- (iv) the exclusive right, granted to the authors, of authorizing the broadcasting of their works and the communication to the public of the broadcast of these works;
- (v) the protection of literary and artistic works in cases where they are used exclusively for teaching, study and research in all fields of education.

5. The first of the reservations (Article 1(a) of the Protocol), which concerns the term of protection, allows another term to be substituted for the terms provided for in Article 7 of the Berne Convention, paragraphs (1), (2), (3) and (4).

(a) Paragraphs (1), (2) and (3) relate to the general term of protection (the life of the author and fifty years after his death), the term of protection of cinematographic works (national legislations having the possibility

of determining a term of fifty years after the work has been made available to the public with the consent of the author, or, failing such an event within fifty years from the making of the work, a term of fifty years after such making), and the term of protection of anonymous or pseudonymous works (fifty years after the work has been lawfully made available to the public).

- (b) The above-mentioned reservation also allows another term to be substituted for the term of twenty-five years provided for in paragraph (4) of the said Article 7. This paragraph relates to the term of protection of photographic works and that of works of applied art in so far as they are protected as artistic works (twenty-five years from the making of the work).

However, the duration of this other term may not be less than twenty-five years in the case of the first three categories of works and ten years in the case of the fourth category.

6. The second reservation (Article 1(b) of the Protocol), which concerns the right of translation, permits the establishment of a system of compulsory licenses which can be summed up as follows. The exclusive right of translation, granted to the author under Article 8 of the Berne Convention, ceases to exist after ten years from the first publication of the original work if the author has not availed himself of such right by publishing or causing to be published, in one of the member countries of the Berne Union, a translation in the language for which protection is claimed. This possibility of restricting the exclusive right of translation to ten years is taken from the 1896 version of the Berne Convention (Article 5). It is at present applied by certain countries of the Union (Iceland, Japan, Mexico, Thailand, Turkey, Yugoslavia) having made reservations. This possibility is still open to new adherents to the Union which are unable or unwilling to avail themselves of the provisions of the Protocol (Article 30(2) (b) of the Stockholm Act).

7. The principle of the possible limitation to ten years, in certain conditions, of the exclusive right of translation being established, the Protocol permits, independently of that limitation, the granting of a non-exclusive and unassignable license to be instituted. If, after the expiration of a period of three years from the date of the first publication of the original work, a translation of that work has not been published in the developing country availing itself of the reservation into the national or official or regional language or languages of that country, any national of such country may obtain a non-exclusive license for translation from the competent authority. The conditions for obtaining such a license and the mechanism provided for implementing it are stipulated in Article 1, paragraph (b)(ii) to (vi) of the Protocol.

8. As a rule, the translation license is valid only for publication in the territory of the country where it has been applied for. Copies so published, however, may be imported and sold in another country of the Union if one of the national or official or regional languages of such other country is the same language as that into which the work has been so translated, and if the domestic law in such other country makes provisions for such licenses and does not prohibit such importation and sale. Where the foregoing conditions do not exist, the importation and sale of such copies in a country of the Union shall be governed by its domestic law and its agreements.

9. The author may take back his exclusive right of translation if, during the term of ten years mentioned above, he publishes or causes to be published his translation in the country where the license has been granted. If he does take back his right, any compulsory license already granted will expire. If he does not do so, the just compensation under the non-exclusive license ceases to be due for any uses made after the expiry of such term. Lastly, the Protocol provides for the possibility of granting a non-exclusive license, subject to the same conditions, in cases where all editions of the authorized translation in the country in question are out of print.

10. The third reservation (Article 1(c) of the Protocol), which concerns the right of reproduction, permits, also in respect of that right, the establishment of a system of compulsory licenses. If, after the expiration of a period of three years from the date of the first publication of the original work, such work has not been published in the original form in the developing country availing itself of the reservation, any national of that country may obtain a non-exclusive and unassignable license from the competent authority to reproduce and publish the work for educational or cultural purposes. The conditions for obtaining such a license and the mechanism of implementing it are identical to those provided for in respect of translation, including more particularly the possibilities of importation and sale in another country of the Union and the possibility for the author to take back his exclusive right of reproduction.

11. The fourth reservation (Article 1(d) of the Protocol), which concerns the right of broadcasting, offers developing countries the possibility of applying, instead of the provisions of Article 11 *bis* of the Stockholm Act of the Berne Convention, less stringent rules.

12. Lastly, the fifth reservation (Article 1(e) of the Protocol) offers developing countries the possibility, exclusively for the purposes of teaching, study and research in all fields of education, of restricting the protection of works, provided that the author is assured of compensation which conforms to the standards of payment made to national authors. The importation in another country of the Union of works published pursuant to this reservation is subject to rules similar to those applicable in the cases of translation and reproduction licenses. Where, however, the conditions provided for do not exist, importation and sale are prohibited in the absence of agreement of the author or his successors in title.

13. The salient feature common to all the reservations provided for by the Protocol — with the exception of the first concerning the term of protection — is the obligation for any country which avails itself of such reservations to make due provision by domestic legislation to assure to the owner of the right a just compensation. As a rule, such compensation should be transmitted, subject to national currency regulations.

14. The régime of exceptions established in the Protocol is temporary in the sense that the reservations outlined above are valid for a period of ten years from the ratification of the substantive clauses of the Stockholm Act, or from accession thereto. However, the Protocol provides for the possibility of maintaining them until the country in question ratifies or accedes to the Act adopted by the next revision conference.

15. This régime may also be applied to territories which, on the date of the signature of the Convention, are not responsible for their external relations, and the situation of which can be regarded as analogous to that of developing countries.

16. Lastly, the régime provided in the Protocol must be accepted by each member country of the Berne Union to enable it to be applied to works of which it is the country of origin. Such acceptance may be effected by ratification of or accession to the Stockholm Act of the Berne Convention (substantive provisions and Protocol), or else in the manner provided for by Article 5(1)(b) of the Protocol, that is, by a declaration made prior to such ratification or accession.

17. Following a proposition submitted by the Delegation of Israel concerning the implementation of the Protocol Regarding Developing Countries, the Stockholm Conference adopted the following Recommendation:

“The countries members of the Berne Union for the Protection of Literary and Artistic Works,

In a Conference assembled at Stockholm from June 11 to July 14, 1967,

Recognizing the special economic and cultural needs of developing countries,

Desirous of enabling developing countries to have access to works protected by copyright for their educational requirements,

Having for this purpose adopted the Protocol Regarding Developing Countries,

Recommend the International Bureau to undertake in association with other governmental and non-governmental organizations a study of ways and means of creating financial machinery to ensure a fair and just return to authors.”

18. In order to give effect to this Recommendation, this Working Group has been convened with the purpose to:

- (i) collect information on the problem posed;
- (ii) examine the practical implications of the application of the provisions of the Protocol;
- (iii) try to find solutions along the lines of the above-cited Recommendation.

19. It seems that, for the purposes of such a study, the Working Group should start from the hypothesis that the

Protocol is applicable in the relations between two or more countries. In this connection, it should be pointed out that such a situation already exists in the relations between Bulgaria and Senegal.¹⁾

Opening Speech by the Director of BIRPI

Ladies and Gentlemen,

As you all know, the Diplomatic Conference which recently revised the Berne Convention at Stockholm adopted not only a *Protocol* enabling developing countries, members of the Berne Union, to make certain reservations as to the protection of copyright, but also, on a proposal of the delegation of Israel, a *Recommendation* requesting BIRPI to undertake certain studies regarding the possible implementation of this Protocol. The first step in these studies has consisted in the convening of this Working Group.

I should like briefly to comment upon four points, namely, (1) the way in which BIRPI intends to carry out the said Recommendation of the Stockholm Conference, (2) the subject matter of the discussion in this Working Group, (3) the qualifications of the experts chosen for this Working Group, and (4) the organization of this meeting.

1. The said Recommendation has requested BIRPI to undertake, in association with other governmental and non-governmental organizations, a study, *in the context of the implementation of the Stockholm Protocol*, of ways and means of creating financial machinery to ensure a fair and just return to authors.

The task of BIRPI, and the task of this Working Group, can therefore not be to criticise the Protocol — this may be done elsewhere — but must be to study the possibilities of making its implementation less prejudicial to interested people in developed countries. Since the Berne Convention and the Protocol are *international instruments*, the study requested must also be carried out on an *international level and envisage international solutions*.

This first Working Group, composed to a large extent of experts from non-governmental interested circles, is expected to do the spadework, on the basis of which governmental experts will soon proceed further, and finally Governments will take the appropriate decisions.

2. The Working Group will therefore be requested to *examine the Protocol point by point*, to give its opinion on the practical implications of its application, to report on measures already taken in developed countries in view of giving assistance, in respect of the use of copyrighted works, to developing countries and for the compensation of authors and publishers who participate in such assistance, and finally to try and find international solutions for this problem. The Working Group is requested to proceed on the basis of the supposition that the Protocol will soon be applied by many developing countries and accepted, for various reasons, by a number of developed countries, members of the Berne Union. It will then, of course, be applied — or very nearly applied — with respect also to works originating in countries which are not members of the Berne Union, for example, the United States of America. Even if such countries have acceded to the Universal Copyright Convention, there is in this latter Convention, with the exception of some terms regarding translation rights, nothing which can prevent the application of the Protocol: on the contrary, the Universal Copyright Convention allows even more liberty to its member States.

3. The said Recommendation has requested BIRPI to undertake its studies in association with other governmental and non-governmental organizations. We have therefore invited intergovernmental organizations, namely, Unesco and the Council of Europe, as well as non-governmental organizations, namely the International Literary and Artistic Association, the International Confederation of Societies of Authors and Composers, the International Writers Guild, the European Broadcasting Union and the Internationale Gesellschaft für Urheberrecht, to be represented at this meeting, and I have much pleasure in welcoming their delegates. Furthermore, we have asked the *International Publishers*

Association to nominate a number of experts from different countries and I am very pleased that we may count on the advice of these particularly qualified experts. We have also invited, as observers, experts from publishers circles in the United States of America: as observers, because this extremely important country is not, or not yet, a member of the Berne Union, but, for the reasons already indicated, is vitally interested in the matter concerned. I thank the observer designated by the U.S. publishers organizations warmly for his presence here and I assure him that in meetings of this type there is no difference in practice between participants and observers, so that we may hope that he will not hesitate to participate fully in the discussions.

Finally, and this time really *last but not least*, we have invited one consultant, namely, Mr. Sher who, as head of the Israeli delegation at the Stockholm Conference, can be considered to be the father of the Recommendation which motivated the convening of this Working Group. No doubt Mr. Sher will explain here even more fully how he expects the Recommendation to be implemented and which solutions he has in mind.

All experts here, in expressing their opinions or in making proposals, will, however, *act only in their personal capacity without committing or binding any person or any organization or State*.

4. Meetings of the type of this Working Group do not generally organize themselves formally, particularly in the matter of electing Officers: chairman, vice-chairman and rapporteur, but they leave whatever direction is necessary, and the secretariat, in the hands of BIRPI. The main reason for such informal procedure is that such meetings are convened to advise BIRPI and that BIRPI should know what it wishes to be advised about. If this is agreeable to the meeting we shall follow the same procedure now.

Considerations Adopted by the Working Group

1. The Working Group composed of the persons mentioned in the list of participants attached to this document had the task of advising the Director of BIRPI on the ways and means of creating financial machinery to ensure a fair and just return to authors for the use of their works pursuant to the provisions of the Protocol Regarding Developing Countries, hereinafter referred to as "the Protocol" (Recommendation No. III of the Stockholm Conference).

2. To that end, the Working Group first examined the legal and practical implications of the application of the provisions of the Protocol and the possible repercussions of such application on the amount of royalties payable to authors (or their successors in title) whose works would be used in developing countries availing themselves of the reservations provided for.

3. It seemed to the Working Group that the scope and the extent of those repercussions would depend on the conditions governing the use of the works and would vary according to the developing country or group of countries.

4. Reviewing in detail the provisions of Article 1 of the Protocol, the Working Group noted in particular the following points.

5. With regard to the reservation relating to the term of protection, the Working Group considered that the possibility of shortening this term was likely to affect the proceeds from the collection of royalties as practised at present in the countries concerned. However, some recent African laws had already reduced the term of protection from fifty to twenty-five years after the death of the author and, as far as

¹⁾ See *Copyright*, 1968, pp. 23 and 10, respectively.

broadcasting fees were concerned, the effects of this reduction had proved to be inconsiderable. By way of an example, it was pointed out that, as regards the use at present of musical works by the broadcasting organizations of African countries, only five percent approximately of those works were affected by this reduction in the length of the term of protection. Furthermore, in the field of publishing, it was noted that, while the length of the term of protection was important as far as literary works were concerned, it was much less so in the case of a certain number of contemporary scientific works, which, dealing as they did with matters still in the process of developing, lost their interest much more rapidly and were consequently less affected by a possible change in the duration of protection.

6. With regard to the reservation relating to the right of translation, the Working Group was of the opinion that it would probably not have the same effect everywhere, in view of the fact that works were often used in their original language (English, French, Spanish) in a great number of developing countries. Nevertheless, the fact that the right of translation would cease to exist after a period of ten years from the date of first publication was likely, on the one hand, to hamper the production of translations mainly of scientific and technical works and, on the other hand, to be an obstacle to the taking of options on whole editions of the literary works of an author. Attention was also drawn to the unfortunate consequences of the possible exportation of translations made and published by virtue of the Protocol.

7. As regards the reservation relating to the right of reproduction, the Working Group felt that a broad interpretation of this reservation, which would extend the methods of reproducing works beyond the limits of printed publication pure and simple, would be particularly calculated to harm the interests of authors. Then again, the economic and commercial conditions (existence or installation of printing offices and publishing houses, extent of markets, structure of demand, etc.) were liable to have a determining influence on the application of the provisions regarding the right of reproduction. Here, too, attention was drawn to the unfortunate consequences of the possible exportation of reproductions made by virtue of the Protocol.

8. As to the reservation on the right of broadcasting, it was pointed out that, depending on the interpretation to be given to the notion of "profit-making purposes," it would be possible for a greater or lesser number of communications to the public of broadcast works to escape the payment of authors' fees. It was further observed that, in the case of broadcast programs imported into developing countries, the fees for recording and broadcasting were often paid by the exporting organizations and for that reason the financial loss sustained by the authors was reduced. It appeared, however, that there was a risk that the sums paid to authors or their successors in title for broadcasts by the broadcasting organizations in developing countries would be diminished as a result of the application of the Protocol, since certain works would no longer be protected and certain uses would no longer be subject to the payment of authors' fees.

9. Finally, as regards the reservation relating to the use of works for teaching, study and research in all fields of education, the Working Group took the view that this very broad provision could apply to most of the literary and scientific works used in developing countries. It also felt that the reference to conformity with the standards of payment made to national authors and the subjection of the payment and transmittal of compensation to national currency regulations could have a serious effect on the remuneration of foreign authors. Attention was also drawn to the possibility of applying this reservation to teaching out of school.

10. The Working Group then examined the ways and means of compensating the losses which authors would sustain and the reduction in earnings which they would suffer as a result of the application of the provisions of the Protocol. It considered that the creation of an international fund or of an international fee-paying system (for example, the collection of a stamp tax on books published in developed countries) was not desirable and it expressed its preference for solutions at the national level or on a bilateral basis, with regard to the application of the Protocol and the compensation of copyright owners. Naturally, the international repercussions of such solutions would have to be considered.

11. However, the Working Group made a distinction between the problems raised by the provision for such compensation and those arising from the difficulties of transferring currency. In the case of the latter, it was of the opinion that multilateral as well as national and bilateral solutions should be sought. Among the possibilities contemplated, mention was made of the system of "Unesco coupons." This question could be examined more carefully by an appropriate study group.

12. In general, the Working Group was of the opinion that the final adoption of any solution was premature at this stage in view of the fact that such a solution was necessarily linked with the decisions of Governments regarding the application of the Protocol (ratification, accession, anticipated application). In any case, the Working Group felt that it was necessary at least to await the results of the inquiry which BIRPI was at present conducting on this matter.

13. As the Working Group had not been given the task of examining the desirability of the Protocol, it expressed no opinion on the subject. Nor did it discuss other means of assistance which might possibly be offered to developing countries.

List of participants

Members of the Working Group

- Mr. Ronald Barker, Secretary, Publishers Association, London
- Mr. Marcel Boutet, Attorney-at-Law, President, International Literary and Artistic Association (ALAI)
- Mr. S. Olives Canals, Delegate, Instituto nacional del libro español, Barcelona
- Mr. Henri Desbois, Professor, Permanent Secretary, International Literary and Artistic Association (ALAI)
- Miss Marie-Claude Dock, Copyright Division, Unesco
- Mr. M. Dupouey, Director-General, National Publishers Association, Paris

Mr. Walter Jost, Delegate for France, Internationale Gesellschaft für Urheberrecht (INTERGU)
Mrs. Madeleine Larrue, Assistant to the Director of Legal Affairs, European Broadcasting Union (EBU)
Mr. Bengt Lassen, Director, Norstedt & Söner, Stockholm
Mr. Léon Malaplate, Secretary-General, International Confederation of Societies of Authors and Composers (CISAC)
Mr. Johannes Overath, Professor, Member of the Executive Board, Internationale Gesellschaft für Urheberrecht (INTERGU)
Mr. Hjalmar Pehrsson, Secretary-General, International Publishers Association (IPA)
Mr. Werner Reichel, Klett-Verlag, Stuttgart
Mr. Ze'ev Sher, Registrar of Patents, Designs and Trade Marks, Ministry of Justice, Jerusalem
Mr. John F. Smyth, Principal Administrator, Legal Directorate, Council of Europe

Mr. Georges Straschnov, Director, Department of Legal Affairs, European Broadcasting Union (EBU)
Mr. Jean-Alexis Ziegler, Deputy Secretary-General, International Confederation of Societies of Authors and Composers (CISAC)

Observer

Mr. Leo N. Albert, President, Prentice Hall International Inc.; Chairman, Joint International Trade Committee, American Book Publishers Council, American Educational Publishers Institute

BIRPI

Professor G. H. C. Bodenhausen, Director
Mr. Claude Masouyé, Counsellor, Head of Copyright Division
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CORRESPONDENCE



Letter from Great Britain

dealing with copyright and related matters which occurred in Great Britain in 1967

(First Part)

Dr. Paul ABEL
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London

INTERNATIONAL ACTIVITIES

Council of Europe Consultative Assembly (19th ordinary session)

(January 29 to February 2, 1968)

The Consultative Assembly of the Council of Europe held its 19th ordinary session at Strasbourg and heard the report submitted by Mr. de Grailly (France) on behalf of its Legal Committee. Based on the Committee's proposal, the Assembly adopted unanimously, on January 31, 1968, Recommendation 512(1968) the text of which is reproduced below.

The Assembly,

1. Considering that the literary and artistic works produced by European authors represent an essential feature of the common heritage of the member countries, the safeguard of which is among the aims of the Council of Europe as set out in Article 1 of its Statute;

2. Emphasizing the consequent need to provide adequate safeguards for the rights of intellectual workers, among whom are the authors of literary and artistic works;

3. Recalling its Order No. 261 of April 28, 1967, instructing the Legal Committee to consider the questions relating to the Intellectual Property Conference of Stockholm, and to report back to it;

4. Takes note of the creation of a World Intellectual Property Organization (WIPO) and expresses the hope that the Council of Europe

will maintain and develop the same relations with the new Organization as those it maintained formerly with BIRPI;

5. And, having noted both the amendments made at the Stockholm Conference to the Berne Convention for the Protection of Literary and Artistic Works and the Protocol Regarding Developing Countries;

6. Being desirous:

a) of ensuring that the whole brunt of the provisions of the Protocol designed to promote the necessary cultural development of certain countries shall not fall entirely on authors;

b) to see the Council of Europe contribute particularly effectively to the copyright protection;

7. Recommends that the Committee of Ministers invite member Governments:

a) in cooperation with WIPO and following a Recommendation adopted at Stockholm, to study ways and means and the financial machinery whereby authors could be compensated for the sacrifices which the straightforward application of the provisions of the Protocol as they stand would entail for them;

b) to consider the possibility, within the Council of Europe, of entering into the "special agreements" referred to in Article 20 of the Berne Convention with the object of "granting to authors more extensive rights than those granted by that Convention".

NEWS ITEMS

UNITED STATES OF AMERICA

Notice concerning extension of copyright term in certain cases¹⁾

A recent Act of Congress, P. L. 90-141, 90th Congress, First Session²⁾, extends the length of all copyrights now in their *second* term that would expire before December 31, 1968. Under the Act these copyrights will continue in force through *December 31, 1968*. The extension is *automatic* and does not require any action in the Copyright Office.

Two earlier Acts (P. L. 87-668 and P. L. 89-142) had already extended the second term of copyrights scheduled to expire between September 19, 1962, and December 31, 1967, to the end of 1967. The new Act extends the total duration of those copyrights for another year, to December 31, 1968, as shown in Example 1 below. The new Act also extends any second-term copyright that was scheduled to expire during

1968 to December 31, 1968, as shown in Example 2 below.

Examples:

1. A work that was first entered for copyright on October 5, 1907, and renewed in 1935, would normally have fallen into the public domain on October 5, 1963. The first Act extended the copyright to December 31, 1965, the second Act extended it further to December 31, 1967, and P. L. 90-141 now extends the copyright to December 31, 1968.
2. A work that was first copyrighted on April 10, 1912, and renewed in 1940, would normally have fallen into the public domain on April 10, 1968. The new Act now extends this copyright to December 31, 1968.

Note:

This extension *does not* apply to copyrights now in their first 28-year term. It has no effect on the time limits for renewal registration, and it does not revive any copyrights that have already expired. The extension *applies only* to copyrights previously renewed in which the second term would otherwise expire.

¹⁾ Circular 15X of the Copyright Office (February 1968).

²⁾ See *Copyright*, 1968, p. 43.

CALENDAR

BIRPI Meetings

Date and Place	Title	Object	Invitations to Participate	Observers Invited
1968				
June 28 *) Geneva	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT) - Enlarged Transitional Steering Committee	Questions of technical co-operation	Germany (Fed. Rep.), Japan, Netherlands, Soviet Union, Sweden, United Kingdom, United States of America	International Patent Institute
July 1 to 5 Paris (Unesco Headquarters)	Committee of Experts on the Photographic Reproduction of Works Protected by Copyright, convened jointly with Unesco	To examine the copyright problems raised by the reproduction of protected works by photographic or analogous processes and to formulate appropriate recommendations with a view to possible solutions	Argentina, Bulgaria, Congo (Kinshasa), Czechoslovakia, France, India, Iran, Japan, Lebanon, Mexico, Nigeria, Netherlands, Spain, Sweden, United States of America. Consultants from Germany (Fed. Rep.) and the United Kingdom	<i>Intergovernmental Organizations:</i> United Nations and Specialized Agencies <i>Non-Governmental Organizations:</i> International Confederation of Societies of Authors and Composers (CISAC); International Congress on Reprography; International Council on Archives; International Federation for Documentation; International Federation of Library Associations; Internationale Gesellschaft für Urheberrecht; International Law Association; International Literary and Artistic Association; International Publishers Association
September 24 to 27 Geneva	Interunion Coordination Committee (6 th Session)	Program and Budget of BIRPI for 1969	Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Denmark, France, Germany (Fed. Rep.), Hungary, India, Iran, Italy, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Portugal, Rumania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America	—
September 24 to 27 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (4 th Session)	Program and Budget (Paris Union) for 1969	Argentina, Australia, Austria, Cameroon, France, Germany (Fed. Rep.), Hungary, Iran, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America	All the other Member States of the Paris Union; United Nations; International Patent Institute; Council of Europe
October 2 to 8 Locarno	Diplomatic Conference	Adoption of a Special Agreement Concerning the International Classification of Industrial Designs	All Member States of the Paris Union	States not members of the Paris Union <i>Intergovernmental Organizations:</i> United Nations; Unesco; Council of Europe <i>Non-Governmental Organizations:</i> Committee of National Institutes of Patent Agents; Inter-American Association of Industrial Property; International Association for the Protection of Industrial Property; International Chamber of Commerce; International Federation of Patent Agents; International League Against Unfair Competition; International Literary and Artistic Association; Union of European Patent Agents

*) Changed from May 3 and 4.

Date and Place	Title	Object	Invitations to Participate	Observers Invited
October 21 to November 1 Tokyo	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT) - Meeting		Particulars to be announced later	
November 25 to 29 Geneva	BIRPI Symposium on Practical Aspects of Copyright (held with the cooperation of CISAC)	To offer to participants information on practical aspects of copyright protection (collection and distribution of royalties, organization and working of authors' societies or other bodies, etc.)	Personalities from developing countries. Members and officers of authors' societies. Individual participants against payment of a registration fee	International Labour Office; Unesco; Council of Europe
December 2 to 10*) Geneva	Committee of Experts — Patent Cooperation Treaty (PCT)	New Draft Treaty	All Member States of the Paris Union	<p><i>Intergovernmental Organizations:</i> United Nations; United Nations Industrial Development Organization; United Nations Conference on Trade and Development; International Patent Institute; Organization of American States; Permanent Secretariat of the General Treaty for Central American Economic Integration; Latin-American Free Trade Association; Council of Europe; European Atomic Energy Community; European Economic Community; European Free Trade Association; African and Malagasy Industrial Property Office</p> <p><i>Non-Governmental Organizations:</i> Committee of National Institutes of Patent Agents; Council of European Industrial Federations; European Industrial Research Management Association; Inter-American Association of Industrial Property; International Association for the Protection of Industrial Property; International Chamber of Commerce; International Federation of Patent Agents; Japan Patent Association; National Association of Manufacturers (U. S. A.); Union of European Patent Agents; Union des industries de la Communauté européenne</p>

*) This meeting replaces the meetings previously announced for the weeks of July 1 to 9, and November 4 to 12, 1968.

Meetings of Other International Organizations Concerned with Intellectual Property

Place	Date	Organization	Title
1968			
Prague	May 1 to 5	International League Against Unfair Competition (LICCD)	Symposium
Strasbourg	June 17 to 21	Council of Europe	Working Party of the Committee of Experts on Patents
Amsterdam	June 9 to 15	International Publishers Association (IPA)	Congress
Vienna	June 24 to 29	International Confederation of Societies of Authors and Composers (CISAC)	Congress
Lima	December 2 to 6	Inter-American Association of Industrial Property (ASIPI)	Congress

VACANCIES FOR POSTS IN BIRPI

Applications are invited for the following posts:

Competition No. 60

Second Deputy Director or Assistant Director

Category:

According to the qualifications and experience of the candidate selected, an appointment will be offered either as Second Deputy Director or as Assistant Director.

Duties:

The duties of the post consist, in general, in assisting the Director of BIRPI in organizing and implementing the tasks of BIRPI.

Qualifications:

- (a) wide experience in the field of industrial property law and in the field of copyright law — particularly in their international aspects — or at least in one of these two fields, preferably with some experience in the other;
- (b) wide experience in administrative matters, preferably in connection with international organizations;
- (c) university degree in law or equivalent professional qualification;
- (d) excellent knowledge of one of the official languages (English and French) and at least a good knowledge of the other. Knowledge of additional languages would be an advantage.

Nationality:

Candidates must be nationals of one of the member States of the Paris Union or of the Berne Union.

Age limit:

Less than 55 at the date of appointment.

Date of entry on duty:

January 1, 1969, or a later date as mutually agreed.

Applications forms and full information regarding the *conditions of employment* may be obtained from the Head of Personnel, BIRPI, 32, chemin des Colombettes, 1211 Geneva, Switzerland.

Applications forms duly completed should reach BIRPI *not later than July 31, 1968*.

Competition No. 55**Senior Assistant in the Industrial Property Division****Category and grade:**

P3/P4, according to qualifications and experience.

Principal duties:

In general, to assist in the implementation of BIRPI's program in the patent field with special emphasis on the preparatory work for the proposed Patent Cooperation Treaty.

The particular duties will include:

- (a) legal studies on problems related to the Patent Cooperation Treaty;
- (b) study of patent office practice in several countries with a view to proposing adequate solutions for the practical implementation of PCT;
- (c) other surveys in the patent field;
- (d) drafting, and assistance in drafting, of working papers for and reports on international meetings, especially in connection with the Patent Cooperation Treaty;
- (e) participation in meetings of other international organizations.

Qualifications:

- (a) university degree in law or qualification equivalent to such degree;
- (b) good knowledge in the field of patent law (including its international aspects and the practice of major examining patent offices);
- (c) excellent knowledge of one of the official languages (English and French) and at least a good knowledge of the other.

Preference will be given to candidates who, in addition to the above-mentioned law degree, also hold a university or equivalent degree in a given field of technology and have practical experience in the processing of patent applications, especially as a patent examiner.

Date of entry on duty: as soon as possible.

Competition No. 56**Assistant in the Industrial Property Division****Category and grade:**

P1/P2, according to qualifications and experience.

Principal duties:

In general, to assist in the implementation of BIRPI's industrial property program.

Under the direction and supervision of a senior staff member, the particular duties will include:

- (a) legal studies on industrial property questions, especially in the field of marks and unfair competition;
- (b) drafting, and assistance in drafting, of working papers for and reports on international meetings;
- (c) participation in meetings of other international organizations;
- (d) collecting the material for, and preparing the publication of, a complete collection of industrial property legislation of all countries.

Qualifications:

- (a) university degree in law or qualification equivalent to such degree;
- (b) at least some familiarity with industrial property, especially in the field of marks and unfair competition (preferably including its international aspects);
- (c) excellent knowledge of one of the official languages (English and French) and at least a good knowledge of the other.

Date of entry on duty: as soon as possible.

Competition No. 59**Assistant
(Developing Countries)**

(Fixed term appointment for two years with the possibility of renewal)

Category and Grade: P 3.**Principal duties:**

In general, to assist in the formation and implementation of BIRPI programs concerning assistance to developing countries.

The particular duties will include:

- (a) correspondence and contacts with representatives of developing countries;
- (b) participation in international meetings dealing with questions of particular interest to developing countries;
- (c) studying and preparing documents on questions of technical assistance to developing countries in the field of industrial property and copyright.

Qualifications:

- (a) university degree or equivalent qualification;
- (b) experience in the field of industrial property or copyright (preferably including their international aspects) with particular knowledge of conditions in developing countries;
- (c) experience in the work of intergovernmental agencies would be an advantage;
- (d) excellent knowledge of one of the official languages (English and French) and at least a good knowledge of the other.

Date of entry on duty: August 1968.

For the three posts above-mentioned:**Nationality:**

Candidates must be nationals of one of the member States of the Paris or Berne Unions. Qualifications being equal, preference will be given to candidates who are nationals of States of which no nationals are on the staff of BIRPI.

Age limit:

The candidates designated must be less than 50 years of age at the date of appointment. (As regards Vacancy No. 56, desirable age: 30/35 years.)

Application forms and full information regarding the *conditions of employment* may be obtained from the Head of Personnel, BIRPI, 32, chemin des Colombettes, 1211 Geneva, Switzerland.

Application forms duly completed should reach BIRPI *not later than May 31, 1968* (as regards vacancies Nos. 55 and 56) or *June 30, 1968* (as regards vacancy No. 59).

